G. R. S. IX-5]

Preserve

Previous references.

File No. 265-18

1918.

Serial Nos. 102

(6b)

Later references.

Ho 3-36 (3+9)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for Jul 19

SUBJECT.

Memorial of Sanna Beerappa praying for the remission of sentence of death passed on him in Kadur Sessions case No 6 of 1918-19.

(1 2) To, The Registrar, Chief Court.
No G 1596 D 22-7-19

I do copy of the order of His Highness rejecting the memorial.

W D 1250—GPB—30,000 - 28-1-19

19/8/19

17783.

G. R. S. III—1] 1919.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 265-18

FILE HEADING.

Memorial of Sanna Veerayya praying for the remission of sentence of death passed on him in Kadur Sessions Case No 6 of 1918-19

From

The Registrar, chief court

No. 644 cr Dated 2nd June 1919 Received 6-6-1919

Diary No. 17783 | Enclos. 5 files of records Spare Copies. | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards the memorial of Sanna-Veerayya praying for the remission of the sentence of death passed on him, on the ground of innocence.

NOTES AND ORDERS.

H. R. Submitted. The facts of the case are detailed in the judgment of the Sessions Judge, also in that of the Chief Court.

SG
7/6/19
7/6

NOTES—First Sheet.

G. R. S. 12]

General and Revenue Secretariat.

G. File No. 265 of 1918.

Serial No.

2 The petitioner was charged with the murder of one Bommanna & was convicted and sentenced to death by the Sessions Judge, Shimoga Divn, in Kadur Sessions Case No: 6 of 18-19 under S. 302 I.P.C. He preferred an appeal to the Chief Court; but the conviction and sentence were confirmed & the appeal was dismissed in Crimal Appl. No: 60 of 1918-19.

3 The petr now prays to be released on the plea of innocence. He says that he is not responsible for the murder of Bommanna & that a false charge was brought against him by the patel of the village on account of ill-will.

The record shows that it was the Patel who introduced the petr to the village & gave him a piece of land as he (petr) was his priest. The plea of ill-will is a pure afterthought. ~~& this~~ ~~was~~ was raised for the first time in ~~the~~ his appeal petition to the Chief Court & has been repeated in this petition. It has been proved that the petr had been on terms of criminal intimacy with the wife of Bommanna & that he deliberately

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

CS File No. 265 of 1918-19

Serial No.

murdered the latter in order to live with the widow. There is absolutely no room for any doubt as to the guilt of the petr., and two out of the three assessors have held that he is guilty. The crime was most brutal & pre-meditated, and there are no extenuating circumstances to be urged in favour of the petr.

There appears to be no ground for clemency & the petn does not seem to deserve any consideration.

Subs for orders

Chief Secy

D. M. 14/6

I Member

Council matter (cl. vi of the schedule)

4 May be dealt with by circulation

1st Member
Dewan

CS 14/6/19

5 I agree. The evidence is strong; and, besides the memorialist confessed his guilt, three days after the murder, before the Chittoor Taluq Asst Co. & Dist Cl. Magte; and repeated the confession before the Sessions Magte 5 days later. It was he that pointed out the corpse of the murdered man hidden in a bush.

1989 17.6.19

6. The memorial may be rejected.

17/6/19

DEWAN'S OFFICE.
Recd. on JUN 19 1919
Reg. No. 8007.

NOTE—Contn. sheet.

7 Dewan)

Lapse. Plus circulate

18/6/19

8 circulate

21/6/19

4 18/6

(For Disposal by Circulation)

No. C. 915

24.6.1919

GENERAL AND REVENUE SECRETARIAT.

COUNCIL MATTER.

SUBJECT.

Memorial of Sanna Veerayya praying for remission of sentence of death passed on him by the Sessions Judge of Shimoga.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

C S Balasubramanyi

24th June 1919.

Chief *Secretary to Government.*

Extraordinary Member of Council.

First Member of Council.

Opinion recorded.

8121-265 26-6-19

Second Member of Council. opinion recorded

26.6.19

5452 26-6-19

Third Member of Council

WD 2670—GPB—1,000—11-5-17

G. R. S. III-2]

General and Revenue Secretariat. | C/5 File No. 265 of 1918.

Serial No.

9 I agree

Recd. 26.6.19

10 I agree

26/6/19

11.

To the Asst Secy., Branch IV (Protection) for D.F.N & D.S.N.

12.

Subd. with D.F.N & D.S.N.

8/7. Chief Secy

1st member

6.7.19

(13) D.S.N. Submitted.

Dewan 12.7

DEWAN'S OFFICE.
Recd. on JUL 9 1919
Reg. No. 263.

NOTE—Contn. sheet.

Final Note by the First Member of Council.

Subject:—

MEMORIAL OF SANNA VEERAYYA PRAYING FOR REMISSION OF THE SENTENCE OF DEATH PASSED ON HIM BY THE SESSIONS JUDGE OF SHIMOGA.

Sanna Veerayya was charged before the Court of Sessions, Shimoga, with the murder of one Bommanna. He was found guilty, convicted and sentenced to death by the Sessions Judge.

2. On appeal to the Chief Court, the conviction and sentence were confirmed.

3. The memorialist now prays for clemency on the plea of innocence.

4. The evidence is strong and there seems no room for doubt as to the guilt of the memorialist. Besides, he confessed his guilt, three days after the murder, before the Treasury Assistant Commissioner and 1st Class Magistrate; and repeated the confession before the Committing Magistrate five days later. It was he that pointed out the corpse of the murdered man concealed in a bush. The crime was brutal and premeditated, and there are no extenuating circumstances. The memorial may therefore be rejected.

5. The other members of Council are also of the same opinion.

M S Chandrasekhar
Member of Council.

Bangalore.
7th July 1919.

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council on the subject of* the memorial of Sanna Veerayya praying for remission of sentence of death passed on him by the Sessions Judge, Shimoga,

for His Highness' gracious approval.

Dewan.

12.7.19.

Record of Cases submitted for the Orders of His Highness the Maharaja

No. 73
12-7-19.

Subject.

Memorial of Sanna Veerayya praying for remission of sentence of death.

Order.

~~KRMP~~

14/7/19

Ch. Lay

15.7.19

G. R. S. III-2]

C. 915

General and Revenue Secretariat. | C/S File No. of 191

Serial No.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to the Members of Council for perusal of His Highness' orders ~~before~~ after issue of orders. (*) (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure).

Chief Secretary to Govt.

Draft approved

Through the Secretary to Government,

....Department.

852-17
1.8.19

FIRST MEMBER OF COUNCIL

2-8-19

510
1.8.19

SECOND MEMBER OF COUNCIL

476/28.7.19

~~TEMPORARY~~ Third MEMBER OF COUNCIL.

NOTE.—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

C. File No. 268 of 1918

Serial No.

Submd. with a draft of fair order of H. H. It has to be signed by the Dewan. Draft covering letter to the Regr. is also put up.

16/7

16.7.19

Chief Secy

For Signature

Dewan

17/7/19

DEWAN'S OFFICE.
Recd. on JUL 18 1919
Reg. No. 493

Signed by the Dewan.

18/7/19.

2

To

The Registrar Ed Council
No. 1596 & 22-7-19
Forwards copy of the order of H.H. rejecting the memorial

To the Confidential Branch for circulation of the file to members of Council

NOTE—Contn. sheet.

26/7/19

4/8/19

ADMINISTRATION BRANCH.
AUG 1919

BANGALORE,

Dated 19 May 1919.

2nd June 1919

No. 644 Enc: 5 Files

JUN

From

71837

THE REGISTRAR OF THE

CHIEF COURT OF MYSORE,

Bangalore

To

THE Chief SECRETARY TO GOVERNMENT,

GENERAL DEPARTMENT,

Bangalore

Sir,

I am directed to forward a memorial addressed to His Highness the Maharaja by Sanna Veerayya accused in Kadur Sessions Case No. 6 of 1918-19 on the file of the Sessions Judge of Shimoga Division and appellant in Criminal Appeal No. ~~of 19~~ 60 of 1918-19 on the file of this Court.

The entire record of the case is herewith forwarded.

I have the honor to be,

Sir,

Your most obedient servant,

M Srinivasaiyan.

For Registrar.

60
1918.19

Chief Jailor
B.C. Jail

14 5/19

THE CHIEF COURT OF MYSORE AT BANGALORE.

Dated, Monday the 21st day of April 1919.

Present

Mr. Justice R.B. Plumer, Judge,

and

Mr. Justice C.S. Doraswami Iyer, Judge.

CRIMINAL APPEAL NO. 60 OF 1918-19
CRIMINAL REFERRED CASE NO. 5 OF 1918-19.

Against the conviction and sentence of the Sessions Judge, Shimoga Division, in Kadur SessionsCase No.6 of 1918-19 under Section 302 of the Indian Penal Code.

Appellant:

Sanna Veerayya,

(Accused).

JUDGMENT.

The accused Sanna Veerayya has been convicted by the Sessions Judge, Shimoga Division, under Section 302, Indian Penal Code, and sentenced to death. He has preferred this appeal from Jail. Mr. M.Ramaswami, Advocate, was instructed by the Court on the accused's behalf and argued the appeal at considerable length.

He was however not able to show us a single ground for any doubt whatever as to the guilt of the appellant. The murdered man's widow Hallamma with whom as admitted by her the accused had latterly been on terms of criminal intimacy has been examined as Prosecution Witness No.3. She deposes that the accused and her husband went out together towards

Patre/

Patre Veerappa's coffee garden. The accused then had a gun, article x, with him. Subsequently the accused returned alone and told her he had murdered her husband and that they could now live happily together.

Meanwhile Prosecution Witnesses 5, 6, 7 and 8 had heard the sound of a gun-shot from the direction of Patre Veerappa's garden.

While they stood and questioned each other as to what had happened the accused came from that direction carrying a gun. They asked him about the shot and he said he had fired it at a boar which had charged him. He had missed the boar and had to drop the gun and climb a tree. The gun then had a trigger missing.

Next day when the murdered man who was worshipping at the Lingayte temple in that village was wanted for worship he was not to be found. On the patel (Prosecution Witness No.2) questioning the accused the latter first said he knew nothing and subsequently said that he and the deceased had gone to rob coffee and that Patre Veerappa's servants had murdered the deceased.

The Amildar (Prosecution Witness 4) was holding Jamabandi in a village near by; so the patel took the accused to him.

The accused repeated his statement to the Amildar and named the place where the corpse would be found. The Amildar had the report Exhibit [illegible], to the above effect sent to the Taluk Inspector at Chikmagalur some 15 miles away.

It reached Chikmagalur at 6 p.m. and the Inspector at once proceeded to the spot. Meanwhile the Amildar had looked for the corpse at the places mentioned by the accused and not finding it there came back and questioned the deceased's

widow

ow Mallamma and the villagers Prosecution Witnesses 5, 6, 7 and 8 who had heard the gun-shot, and on their statements in conjunction with his former suspicions he arrested the accused that evening.

Next morning the accused made a statement and took the Amildar, and Inspector and Panchayatdars to a lentana bush in a thick patch of jungle about 1 furlong from the place searched the previous afternoon by the Amildar and showed them the corpse of the deceased lying in the middle of the bush rolled up in a cambli. There were two slight shot wounds in the back and 28 incised wounds on the body including one which cut the carotid artery and severed the jugular vein. About 3 yards from where the corpse lay the accused picked up the trigger, article iii, and gave it to the Amildar. He then took the police and panchayatdars and Amildar to his house and produced the gun, article x, and chopper, article xi. The gun, article x, had a trigger missing, and the trigger, article iii, fitted the gun, article x.

The next day he made a full confession Exhibit P_3 before the Treasury Assistant Commissioner and Magistrate, Chikmagalur. In this he describes how in order to enable him to carry on his intimacy with Mallamma he decided on her instigation to murder the deceased and taking him out on the night of the murder under a pretext of stealing coffee he shot him in the back dropping the chopper to do so. The shot failed to bring the deceased down and the latter turned on the accused and picking up the chopper struck at him with it. The accused fended off the blow with the gun and the blow fell on the barrel of the gun and cut a notch in it. This caused the chopper to fly from the deceased's hand. The accused secured the chopper and with it he cut down and murdered the deceased. On his way home he met some villagers who asked what the galata was. He told them the story about the boar. He then went home

~~andwash~~

G. R S. VI—s-III/33]

DRAFT.

SUBJECT .....

.....

.....

Section. 65
File No. 265-18
Serial No. 2

No. 61596

Diary No. of letter replied to.....

To

Records

The Registrar of the Chief Court of Mysore.

GENERAL AND REVENUE SECRETARIAT,
( )
, *the*.....*191* .

Date of issue 22/7/19

Signed by M. G. B. H.

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Sannaveerappa accused in Madur Sessions Case No. 6 of 1918-19 on the file of the Sessions Court undergoing sentence of death

in the Bangalore Central Jail, copy of order passed by H. H. the Maharaja of Mysore, on the prisoner's memorial rejecting the same.

2. The entire records received with your letter No. 646 Cr dated 19th May 2nd June 1919 are herewith returned

I have, etc.,

Joshi Secretary.

In the Matter of a Memorial of Sanna Veerayya accused in Sadur Sessions Case No. 6 of 1918-19 on the file of the Sessions' Judge of Shimoga Division and appellant in Criminal Appeal No. 60 of 1918-19 on the file of the Chief Court, praying for remission of sentence of death passed on him

His Highness the Maharaja
directs
That the Memorial be rejected.

18.7.19

Dewan.

Draft).